

# SPONSOR'S REBUTTAL TO FISCAL NOTE

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**Bill Number:** HB 274

**Date Prepared:** 02/19/2011

**Short Title:** Provide that employment of an unauthorized alien is unlawful.

**Sponsor:** Howard, David

**Fiscal Note Version and Date:**

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**Generally, why do you disagree with the fiscal note?**

The Department of Justice over estimated the investigative time, personnel and the amount of hearings that will be needed to take complaints and report to U.S. Immigration and Customs Enforcement.

The Secretary of State grossly over exaggerated the cost and personnel to set up a simple card file to follow 5 to 25 employers per year.

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**Specifically, what in the fiscal note do you feel is flawed?**

Department of Justice:

1. Department of Justice does not need a FTE criminal investigator to conduct phone investigations and notify U.S. Immigration and Customs Enforcement and/or local Law enforcement. With only 5 to 25 notifications per year this can be conducted with the normal compliment of Staff.
2. Department of Justice's estimate of 25 hearings is too high. The law is designed to take care of 90% of the complaints up front and only if the employer takes legal action will the case be adjudicated. The estimate should be 5 hearings or \$6320.

Secretary of State's Office (SOS):

1. Secretary of State grossly over exaggerated their costs. The bill instructs the Secretary of State to use a manual card file to track 5 to 25 cases per year and no additional funds are necessary to operate a card file.

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**What is your estimate of the fiscal impact?**

The Department of Justice will be the only one affected. Their impact will be less than \$6320.